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| APPLICATION NO.                           | FILING DATE    | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO.     | CONFIRMATION NO. |
|---|----------------|----------------------|-------------------------|------------------|
| 09/516,655                                | 03/01/2000     | Thomas C. Thompson   |                         | 3209             |
| 7   | 590 04/01/2002 |                      |                         |                  |
| Thomas C Thompson                         |                |                      | EXAMINER                |                  |
| 92-543 Kokole PLace<br>Makakilo, HI 96707 |                |                      | MALCOLM, TOMLYNE A      |                  |
|   |                |                      | ART UNIT                | PAPER NUMBER     |
| _   |                |                      | 3679                    |                  |
|   |                |                      | DATE MAILED: 04/01/2002 | !                |

Please find below and/or attached an Office communication concerning this application or proceeding.

| <del>,</del>  | Application N .         | Applicant(s)                                       |  |  |  |  |
|---|-------------------------|--|--|--|--|--|
|   |                         |  |  |  |  |  |
| Offic Action Summary  | 09/516,655              | THOMPSON, THOMAS C.                                |  |  |  |  |
| The Monday  | Examiner                | Art Unit   |  |  |  |  |
| The MAILING DATE of this communication and  | Tomlyne A Malcolm       | 3629   |  |  |  |  |
| The MAILING DATE of this communication appears on the cover sheet with the correspond nce address Period for Reply  |                         |  |  |  |  |  |
| A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THÉ MAILING DATE OF THIS COMMUNICATION.  - Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.  - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.  - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.  - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).  - Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).  Status |                         |  |  |  |  |  |
| 1) Responsive to communication(s) filed on  | <u>.</u> .              |  |  |  |  |  |
| <sup>1</sup> 2a)⊠ This action is <b>FINAL</b> . 2b)□ Thi  | s action is non-final.  |  |  |  |  |  |
| 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under <i>Ex parte Quayle</i> , 1935 C.D. 11, 453 O.G. 213.  |                         |  |  |  |  |  |
| Disposition of Claims   |                         |  |  |  |  |  |
| 4)⊠ Claim(s) <u>1-14</u> is/are pending in the application.   |                         |  |  |  |  |  |
| 4a) Of the above claim(s) is/are withdrawn from consideration.  |                         |  |  |  |  |  |
| 5) Claim(s) is/are allowed.   |                         |  |  |  |  |  |
| 6)⊠ Claim(s) <u>1</u> is/are rejected.  |                         |  |  |  |  |  |
| 7) Claim(s) <u>2-14</u> is/are objected to.   | atautta e e e e e e e e | ·  |  |  |  |  |
| 8) Claim(s) are subject to restriction and/or election requirement.  Application Papers   |                         |  |  |  |  |  |
| 9) The specification is objected to by the Examiner.  |                         |  |  |  |  |  |
| 10) ☐ The drawing(s) filed on is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  |                         |  |  |  |  |  |
| Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).   |                         |  |  |  |  |  |
| 11) ☐ The proposed drawing correction filed on is: a) ☐ approved b) ☐ disapproved by the Examiner.  |                         |  |  |  |  |  |
| If approved, corrected drawings are required in reply to this Office action.  |                         |  |  |  |  |  |
| 12) The oath or declaration is objected to by the Examiner.   |                         |  |  |  |  |  |
| Priority under 35 U.S.C. §§ 119 and 120   |                         |  |  |  |  |  |
| 13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).   |                         |  |  |  |  |  |
| a) ☐ All b) ☐ Some * c) ☐ None of:  |                         |  |  |  |  |  |
| . 1. Certified copies of the priority documents have been received.   |                         |  |  |  |  |  |
| 2. Certified copies of the priority documents have been received in Application No  |                         |  |  |  |  |  |
| <ul> <li>3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).</li> <li>* See the attached detailed Office action for a list of the certified copies not received.</li> </ul>   |                         |  |  |  |  |  |
| 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  |                         |  |  |  |  |  |
| a) ☐ The translation of the foreign language provisional application has been received. , 15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.   |                         |  |  |  |  |  |
| Attachment(s)   |                         |  |  |  |  |  |
| Notice of References Cited (PTO-892)     Notice of Draftsperson's Patent Drawing Review (PTO-948)     Information Disclosure Statement(s) (PTO-1449) Paper No(s)  | 5) Notice of Informal F | (PTO-413) Paper No(s) Patent Application (PTO-152) |  |  |  |  |
| J.S. Patent and Trademark Office  |                         |  |  |  |  |  |



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# **DETAILED ACTION**

### Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by Sutt, Jr et al., U.S. Patent No. 5,761,863.

In regards to claim 1, Sutt discloses a permanent one piece retrofit hurricane and earthquake connector comprising a base member (34) and angled top web with rafter tabs (40), connected by a double angled offset member (Fig.4, 44).

### Response to Arguments

Applicant's arguments with respect to claims 1 through14 have been considered but are most in view of the new ground(s) of rejection.

### Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tomlyne A Malcolm whose telephone number is 703-305-1566. The examiner can normally be reached on Monday through Thursday from 7:30 am to 6:00 pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lynne H Browne, can be reached on (703) 308-1159. The fax phone number for the organization where this application or proceeding is assigned is 703-305-3597.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-2168.

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Lynne H. Browne
Supervisory Patent Examiner
Technology Center 3600